Pennsylvania Office of Attorney General Strawberry Square Harrisburg, PA 17120 Sgt. Barbeau Carbon County Prison 331 3rd Street Nesquehoning, PA 18240-1801

| for the Middle District of Pennsylvania | |
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| KENNETH HARRELL | 9CV2083 |
| NOTICE OF A LAWSUIT AND REQUEST TO WAIVE SERVICE O | OF A SUMMONS |
| To: SGT. BARBEAU | |
| (Name of the defendant or - if the defendant is a corporation, partnership, or association - an officer or | agent authorized to receive service) |
| Why are you getting this? | |
| A lawsuit has been filed against you, or the entity you represent, in this court und A copy of the complaint is attached. | der the number shown above. |
| This is not a summons, or an official notice from the court. It is a request that, to a service of a summons by signing and returning the enclosed waiver. To avoid these experiments waiver within 30 days (give at least 30 days, or at least 60 days if the defendant is outside any judifrom the date shown below, which is the date this notice was sent. Two copies of the waive a stamped, self-addressed envelope or other prepaid means for returning one copy. You is | enses, you must return the signed icial district of the United States) wer form are enclosed, along with |
| What happens next? | |
| If you return the signed waiver, I will file it with the court. The action will then p on the date the waiver is filed, but no summons will be served on you and you will have is sent (see the date below) to answer the complaint (or 90 days if this notice is sent to yo the United States). | 60 days from the date this notice |
| If you do not return the signed waiver within the time indicated, I will arrange to be served on you. And I will ask the court to require you, or the entity you represent, to pay | nave the summons and complaint the expenses of making service. |
| Please read the enclosed statement about the duty to avoid unnecessary expenses | |
| I certify that this request is being sent to you on the date below. | |
| Date: 01/09/2020 | |
| | ttorney or unrepresented party |
| | Printed name |
| | |
| | Address |
| | E-mail addrass |

Telephone number

| for the | he |
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| Middle District of | Pennsylvania 💌 |
| KENNETH HARRELL Plaintiff V. SGT. BARBEAU, ET AL. Defendant WAIVER OF THE SER | Civil Action No. 3:19CV2083 VICE OF SUMMONS |
| To: KENNETH HARRELL | VICE OF SCHEROIGS |
| (Name of the plaintiff's attorney or unrepresented plaintiff) | <u> </u> |
| I, or the entity I represent, agree to save the expense of I understand that I, or the entity I represent, will k jurisdiction, and the venue of the action, but that I waive any of I also understand that I, or the entity I represent, must | of serving a summons and complaint in this case. seep all defenses or objections to the lawsuit, the court's objections to the absence of a summons or of service. file and serve an answer or a motion under Rule 12 within this request was sent (or 90 days if it was sent outside the |
| Date: | G. C. |
| COT DADDEALL | Signature of the attorney or unrepresented party |
| SGT. BARBEAU Printed name of party waiving service of summons | Printed name |
| | Address |
| | E-mail address |

Duty to Avoid Unnecessary Expenses of Serving a Summons

Telephone number

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

Deputy Warden Ryan Long Carbon County Prison 331 3rd Street Nesquehoning, PA 18240-1801

| for t | the |
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| Middle District of | f Pennsylvania |
| KENNETH HARRELL) Plaintiff) v.) SGT. BARBEAU, ET AL.) Defendant) | Civil Action No. 3:19CV2083 |
| NOTICE OF A LAWSUIT AND REQUEST | TO WAIVE SERVICE OF A SUMMONS |
| To: DEPUTY WARDEN RYAN LONG (Name of the defendant or - if the defendant is a corporation, partners) | ship, or association - an officer or agent authorized to receive service) |
| Why are you getting this? | |
| A lawsuit has been filed against you, or the entity you A copy of the complaint is attached. | u represent, in this court under the number shown above. |
| service of a summons by signing and returning the enclosed w | f the defendant is outside any judicial district of the United States) ent. Two copies of the waiver form are enclosed, along with |
| What happens next? | |
| If you return the signed waiver, I will file it with the con the date the waiver is filed, but no summons will be served is sent (see the date below) to answer the complaint (or 90 dathe United States). | court. The action will then proceed as if you had been served on you and you will have 60 days from the date this notice ys if this notice is sent to you outside any judicial district of |
| If you do not return the signed waiver within the time served on you. And I will ask the court to require you, or the | indicated, I will arrange to have the summons and complaint entity you represent, to pay the expenses of making service |
| Please read the enclosed statement about the duty to a | avoid unnecessary expenses. |
| I certify that this request is being sent to you on the d | late below. |
| Date: 01/09/2020 | Signature of the attorney or unrepresented party |
| | |
| | Printed name |
| | |
| | Address |
| | |

Telephone number

E-mail address

for the

| Middle District of P | ennsylvania 🔀 |
|----------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| KENNETH HARRELL | Civil Action No. 3:19CV2083 |
| WAIVER OF THE SERVE | ICE OF SUMMONS |
| jurisdiction, and the venue of the action, but that I waive any ob I also understand that I, or the entity I represent, must fi | g one signed copy of the form to you. serving a summons and complaint in this case. ep all defenses or objections to the lawsuit, the court's jections to the absence of a summons or of service. lle and serve an answer or a motion under Rule 12 within his request was sent (or 90 days if it was sent outside the |
| Date: | |
| DEPUTY WARDEN RYAN LONG Printed name of party waiving service of summons | Signature of the attorney or unrepresented party Printed name |
| | Address |
| | E-mail address |
| | Telephone number |

Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

Warden Timothy Fritz Carbon County Prison 331 3rd Street Nesquehoning, PA 18240-1801

| | M | fiddle District of | f Pennsylvania |
|-----------------|---------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | KENNETH HARRELL Plaintiff v. SGT. BARBEAU, ET AL. Defendant |) | Civil Action No. 3:19CV2083 |
| | NOTICE OF A LAWSUIT A | ND REQUEST | TO WAIVE SERVICE OF A SUMMONS |
| | /arden Timothy Fritz Name of the defendant or - if the defendant is a co | orporation, partners | ship, or association - an officer or agent authorized to receive service) |
| | Why are you getting this? | | |
| A cop | A lawsuit has been filed against you, y of the complaint is attached. | or the entity you | u represent, in this court under the number shown above. |
| waive from t | e of a summons by signing and returning within 30 days (give at least 30 days, one date shown below, which is the date to | ig the enclosed v or at least 60 days i this notice was s | ourt. It is a request that, to avoid expenses, you waive forma vaiver. To avoid these expenses, you must return the signed of the defendant is outside any judicial district of the United States) ent. Two copies of the waiver form are enclosed, along with or returning one copy. You may keep the other copy. |
| | What happens next? | | |
| is sent | date the waiver is filed, but no summor | ns will be served | court. The action will then proceed as if you had been served on you and you will have 60 days from the date this notice ys if this notice is sent to you outside any judicial district or |
| served | If you do not return the signed waiver on you. And I will ask the court to req | within the time quire you, or the | indicated, I will arrange to have the summons and complain entity you represent, to pay the expenses of making service |
| | Please read the enclosed statement ab | out the duty to | avoid unnecessary expenses. |
| | I certify that this request is being sent | t to you on the d | late below. |
| Date: | 01/09/2020 | | |
| | | | Signature of the attorney or unrepresented party |
| | | | Printed name |
| | | | |

E-mail address Telephone number

Address

for the

| | Middle District of Pennsylvania |
|----------------------|---------------------------------|
| KENNETH HARRELL | , |
| Plaintiff |) |
| v. |) Civil Action No. 3:19CV2083 |
| SGT. BARBEAU, ET AL. | j |
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|--------------------------------------------------------------------|---------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|------------|
| | WAIVER OF THE SERVI | CE OF SUMMONS | |
| To: KENNETH HARRELL | | | |
| (Name of the plaintiff's attorne | ey or unrepresented plaintiff) | | |
| I have received your reques two copies of this waiver form, and | st to waive service of a summe a prepaid means of returning | ons in this action along with a copy of the comone signed copy of the form to you. | plaint, |
| I, or the entity I represent, a | agree to save the expense of se | erving a summons and complaint in this case. | |
| I understand that I, or the jurisdiction, and the venue of the ac | entity I represent, will keep tion, but that I waive any objection. | o all defenses or objections to the lawsuit, the ections to the absence of a summons or of serv | he court's |
| 60 days from 01/09/2029 | 0, the date when thi | e and serve an answer or a motion under Rule s request was sent (or 90 days if it was sent or ed against me or the entity I represent. | |
| Date: | | | |
| Date: | | Signature of the attorney or unrepresented pa | orty |
| Date: Warden Timothy Fr | ritz | | erty |
| | | | erty |
| Warden Timothy Fr | | Signature of the attorney or unrepresented pa | rty |
| Warden Timothy Fr | | Signature of the attorney or unrepresented pa | rty |
| Warden Timothy Fr | | Signature of the attorney or unrepresented pa | rrty |
| Warden Timothy Fr | | Signature of the attorney or unrepresented pa Printed name | rty |
| Warden Timothy Fr | | Signature of the attorney or unrepresented pa Printed name | rty |
| Warden Timothy Fr | | Signature of the attorney or unrepresented pa Printed name Address | rty |
| | | Signature of the attorney or unrepresented pa Printed name Address | rty |

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